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March 12, 2020

VIA CM/ECF

Magistrate Judge James Orenstein
225 Cadman Plaza East
Room 1227 South
New York, New York 11201

Re: Michael Grecco Productions Inc. v. Alamy Inc. et al, Case No. 18 Civ. 03260 (PKC) (JO)

Dear Judge Orenstein:

This firm represents defendants Alamy Inc. and Alamy Ltd. (collectively, “Defendants”) in the above-captioned action. We respectfully submit this letter in response to Your Honor’s March 12, 2020 Order (the “Order”) directing Defendants to “file either a supplemental submission or a status report stating that they are declining to file a supplemental submission[,]” and to address Defendants’ confusion with the Order as compared to Your Honor’s directives at the February 26, 2020 *ex parte* conference.

At the *ex parte* conference, Your Honor invited Defendants to submit an “*ex parte* response, of course . . . on March 11th.” Transcript of *ex parte* conference (“Tr.”) at 41:9-18; *see also* Tr. at 29:3-8 (describing permissible contents of *ex parte* submission); 32:16-19 (same). Defendants prepared the *ex parte* submission, and received confirmation on Wednesday, March 11, 2020 at 3:14 p.m., that it was delivered to the Court. *See* Exh. A.

While a minute entry following the *ex parte* proceeding provided that the supplemental submission should be “filed” (*see* Dkt. No. 78), given the sensitive nature of the documents and the entire dispute, the undersigned assumed that what Your Honor said at the *ex parte* conference governed how Defendants should proceed.

Defendants respectfully request that the Court schedule a brief, *ex parte* telephonic conference with Defendants’ counsel to address whether the submission must be publicly filed, and whether the submission must be limited in pages or content. We regret any confusion or inconvenience due to our interpretation of how the submission should be provided.

We thank the Court for its patience and continued attention to this matter.

Respectfully Submitted,

/s/ Nancy E. Wolff

Nancy E. Wolff

Counsel for Defendants Alamy Inc. and Alamy Ltd.